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January 18, 2005

**BY HAND DELIVERY**

Mr. Lawrence H. Norton  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

**Re: MUR 5617**

Dear Mr. Norton:

On behalf of Kerry-Edwards 2004, Inc., this letter is submitted in response to the complaint filed by the Rusk County Republican Party ("the Complaint") and subsequently labeled MUR no. 5617. The Complaint should be immediately dismissed.

The Commission may find "reason to believe" only if a complaint sets forth sufficient specific facts, which, if proven true, would constitute a violation. *See* 11 C.F.R. §§ 111.4(a), (d) (2004). Unwarranted legal conclusions from asserted facts or mere speculation will not be accepted as true, and provide no independent basis for investigation. *See* Commissioners Mason, Sandstrom, Smith and Thomas, Statement of Reasons, MUR 4960 (Dec. 21, 2001).

The Rusk County Republican Party alleges that several yard signs without disclaimers were erected by the Rusk County Democratic Party. The complaint does not allege any involvement by Respondent in the display of these signs, nor does Respondent have any knowledge of the circumstances under which these signs were erected.

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COUNSEL  
2005 JAN 18 P 2:13

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January 18, 2004  
Page 2

Respondent respectfully requests that the Commission dismiss the complaint.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marc E. Elias", is written over a horizontal line.

Marc E. Elias  
Counsel to Kerry-Edwards 2004, Inc.

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